

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NORTH DAKOTA

In Re: Pro-Mark Services, Inc. Debtor	Court File No.: 24-30167 Chapter 7 Case
---	--

**STIPULATED MOTION TO CONTINUE THE HEARING ON THE JOINT
SETTLEMENT BETWEEN THE UNITED STATES AIR FORCE AND TRUSTEE**

Hartford Accident and Casualty Company (“Hartford”); The United States Air Force (“Air Force”); and Erik Ahlgren, trustee of Pro-Mark, Inc.’s bankruptcy estate (“trustee”), hereby submit this Stipulated Motion to Continue the Hearing On the Joint Settlement Between The United States Air Force and Trustee, and in support thereof state as follows:

ARGUMENT

On November 5, 2024, Air Force submitted to the Court its Motion to Approve the Joint Settlement Between The United States Air Force and the Trustee (the “Joint Settlement Motion”), along with the Joint Settlement Agreement between the United States Air Force and the Trustee (the “Joint Settlement”). On November 26, 2024, Hartford submitted its Objection to the Joint Settlement Motion, and argued, in part, that the Joint Settlement was improper because Hartford’s rights under contract and of equitable subrogation give it rights to bonded contract funds to setoff losses and complete Air Force bonded contracts.

On November 27, 2024, the Court sent a Notice of Hearing to the parties regarding argument on the Joint Settlement Motion and scheduled the hearing for December 18, 2024. On December 4, 2024, the Court rescheduled the hearing to December 13, 2024.

On December 13, 2024, a remote hearing was held, and the Court determined that another hearing would be scheduled regarding the Motion for Joint Settlement. The continued hearing is

scheduled for January 30, 2025.

Further, On January 3, 2025, CCU filed an adversary complaint in the United States Bankruptcy Court, District of North Dakota. The adversary complaint will likely impact the resolution of the Joint Settlement Agreement.

The parties who are to appear at the continued hearing are engaged in ongoing negotiations and discussions regarding both earned and unearned bonded contract funds, and Hartford's right to supplement performance and complete the bonded contracts. The parties feel that an agreement can be reached if afforded more time to work through the issues. Thus, the parties stipulate and request that the Court continue the hearing on the Joint Settlement Motion for 60 days while the parties continue to meaningfully confer on this matter.

WHEREFORE, Hartford, The United States Air Force, and the trustee of Pro-Mark's bankruptcy estate respectfully request that the hearing on the Joint settlement motion be continued for an additional 60 days while the parties attempt to reach a settlement agreement.

Dated this 24th day of January, 2025.

THE HUSTEAD LAW FIRM
A Professional Corporation

*Original Signature is on file at The Hustead
Law Firm, A Professional Corporation*

/s/ Connor L. Cantrell
Connor L. Cantrell, Esq.
The Hustead Law Firm
4643 S. Ulster Street, Suite 1250
Denver, Colorado 80237
(303) 721-5000
clc@thlf.com

Ahlgren Law Office, PLLC

Dated: January 24, 2025

/s/ Erik A. Ahlgren

Erik A. Ahlgren, Attorney #09561 (ND)
220 West Washington Avenue, Ste 105
Fergus Falls, MN 56537
Office: 218-998-2775
erik@ahlgrenlawoffice.net

/s/ Melissa Helen Burkland

Melissa Helen Burkland
Assistant United States Attorney
WI Bar ID 1071443
655 First Avenue North, Suite 250
Fargo, ND 58102-4932
(701) 297-7400
melissa.burkland@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of January, 2025 a true and correct copy of the foregoing **STIPULATED MOTION TO CONTINUE THE HEARING ON THE JOINT SETTLEMENT BETWEEN THE UNITED STATES AIR FORCE AND TRUSTEE** was electronically filed via the Court's CM/ECF system and a true and correct copy of the same was delivered to all counsel of record.

*Original Signature is on File at The Hustead
Law Firm, A Professional Corporation*

s/ Connor L. Cantrell
Connor L. Cantrell, Esq.